

REMARKS

Claims 16 and 32-38 are pending. The others are currently withdrawn. Reconsideration and reversal of the instant rejections are hererby earnestly solicited for the reasons set forth below, *inter alia*.

Rejection of Claims Under 35 U.S.C. § 102

Claims 32 and 34-38 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,335,026. To overcome an anticipation rejection, the Inventors need only demonstrate that the references fail to teach each and every claimed limitation. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987).

However, independent claim 32 has been amended to include the limitation that the hydrocolloid composition further comprises hydrophilic materials, wherein the hydrophilic materials are selected from the group consisting of xanthun gum, sodium carboxymethylcellulose, pectin, and karaya. There is no teaching of utilization of these hydrophilic particles in the '026 reference.

As illustrated in the tables found in the specification, the hydrophilic particles of the pending application have shown to absorb water from between 50% to 200% its own weight in varoius tests. The material disclosed in the '026 patent is not a water absorbing material capable of providing the same water absorbing properties of the pending claims.

Furthermore, the utilization of silica in the '026 patent is not to provide a material that is hydrophilic and water absorbing. Silica is utilized in the '026 patent and silica has a very limited power of absorbing water. The purpose of using silica in adhesive has been for increasing the firmness of the adhesive, not necessarily for absorbing water

Since the '026 patent fails to teach or disclose all of the claimed elements of independent Claim 32, the references also fail to anticipate the elements of their corresponding dependent claims 34-38. In light of these amendments and arguments, Applicant has overcome the

Examiner's 35 U.S.C. §102 rejections. Thus, the Examiner is respectfully requested to withdraw these rejections with respect to Claims 32 and 34-38.

Rejection of Claims Under 35 U.S.C. § 103

Claim 16 stands rejected under 35 U.S.C. § 103(a) as being obvious over US '026 in view of US 5,750,134.

Similar to the above arguments, neither the '026 patent nor the '134 patent disclose a hydrocolloid composition having hydrophilic materials selected from the group consisting of xanthum gum, carboymethylcellulouse, pectin, and karaya.

Thus, because '026 patent and the '134 patent fail to teach or disclose all of the claimed elements of independent 16 and 32, the references also fail to anticipate the elements of their corresponding dependent claims 33. In light of these amendments and arguments, Applicant has overcome the Examiner's 35 U.S.C. §103 rejections. Thus, the Examiner is respectfully requested to withdraw these rejections with respect to Claims 16 and 32-38.

Conclusion

Applicant has complied with all requirements made in the above-referenced communication. In view of the foregoing, it is respectfully submitted that the pending Claims in the application are in condition for allowance. Allowance of the pending claims at an early date is courteously solicited. If, for any reason, the Examiner finds the application other than in condition for allowance, the Examiner is respectfully requested to call Applicant's undersigned representatives, attention R. Joseph Foster at (310) 586-6565 to discuss the steps necessary for placing the application in condition for allowance.

The Commissioner is hereby authorized to charge for any required fee in connection with the submission of this paper, any additional fees which may be required, now or in the future, or credit any overpayment to Account No. **50-2638**. Please ensure that Attorney Docket Number 070377-010200 is referred to when charging any payments or credits for this case.

Respectfully submitted,

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